

REMARKS

Reconsideration of this patent application is respectfully requested in view of the amendments filed on July 16, 2006, and the following remarks. Claims 1-15, 17 and 19-20 are in the application. Claims 1-14 have been withdrawn. Claim 16 has been canceled. Claims 15 and 17 were amended in the Response filed on July 10. No new matter has been added.

In the Advisory Action, the Examiner maintained the double patenting rejection, stating that method performed in the two applications is the same. While applicant disputes this allegation, Applicant submits herewith a terminal disclaimer, disclaiming that portion of the term of the patent issuing on the present application that would extend beyond the term of any patent issuing on US Application Serial No. 10/813,585.

The Examiner maintained his rejections of claims 15 19 and 20 over Ottmann in view of Haddy, and of claim 17 over Ottman in view of Haddy and further in view of Kern. Applicant responds as follows:

Ottmann teaches a method comprising five different steps: The first step, which is described at column 1, line 54 to column 2, line 12, includes forming a concrete pipe with a rotary

packerhead machine 16 and simultaneously filling a concrete mixture in jacket 10. As step 2, jacket 10 is transported together with the concrete pipe to a hollow cylinder 28 (see column 2, lines 57 to 64). In the third step, a vibrating means of cylinder 28 is actuated to compact the concrete pipe and to eliminate voids (see column 3, lines 2 to 7). Although this is not explicitly mentioned in Ottmann, it is necessary to have a fourth step of transporting jacket 10 together with the compacted concrete pipe back to the packerhead. This is because in step 5 the packerhead 16 is used a second time for a finishing forming pass with an additional deposition of the same concrete mixture as in step 1 (see column 3, lined 33 to 45).

In contrast to that, the present invention refers to a method combining steps 1 and 3 of the Ottmann method and omitting step 2 as the first concrete mixture is distributed and compacted in the mold mantel by means of the first compacting tool (step A of the present method). In a step B of the method according to the present invention, the first compacting tool is exchanged for a second (different) compacting tool. Further, in step C, a second concrete mixture which is different from the first concrete mixture is filled into the mold mantle and distributed and compacted by the second compacting tool. Finally, in step D, the second compacting tool is exchanged for the first compacting tool.

Summarizing, the method of Ottmann comprises two transportation steps (steps 2 and 4) which can clearly be omitted according to the present invention because only the compacting tools are exchanged with the mold mantle and the concrete pipe remains in the same stand during all steps of the inventive method. Omitting the steps of transporting the jacket twice between the packerhead machine and the vibrating cylinder leads to a significant saving of time which can be achieved with the method according to the present invention compared to the Ottmann method. Both steps B and D of exchanging the compacting tools of one and the same stand are not taught or suggested by Ottmann.

Further, the two methods differ in that Ottmann uses the same concrete mixture for steps 1 and 5, whereas two different concrete mixtures are tilled in the mold mantel during steps A and C according to the present invention. In addition, both concrete mixtures are distributed and compacted in steps A and C according to the present invention, whereas Ottmann uses only one compacting step (step 3). In contrast to the Examiner's point of view, the method according to the present invention differs from the Ottmann method such that the product is materially affected. Ottmann's pipe consists of one single concrete mixture which is only partly compacted, whereas the pipe of the present invention has two different layers consisting of two different concrete mixtures with both layers being compacted.

There is no hint in Ottmann to omit the transport steps of the Ottmann method and to produce the concrete pipe in one and the same stand, nor does Ottmann teach a method for producing a concrete pipe having two layers each consisting of a different concrete mixture which are both compacted. Combining Ottmann with Haddy or with Haddy and Kern would not lead to the teachings of the present invention because neither Haddy nor Kern teach the features of the present invention that are missing from Ottmann.

Accordingly, Applicant submits that claims 15, 17 and 19-20 are patentable over the cited references, taken either singly or in combination. Early allowance of the claims is respectfully requested.

Respectfully submitted,
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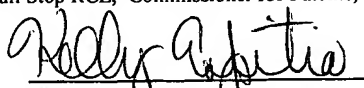
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